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EXAMINER

TRAN, ELLEN C

| ART UNIT | PAPER NUMBER |
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2134

DATE MAILED: 04/08/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/641,156

Applicant(s)

CHESS ET AL.

Examiner

Ellen C Tran

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

NORMAN M. WRIGHT
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication: original application filed 17 August 2000.
2. Claims 1-51 are currently pending in this application. Claims 1, 26, and 51 are independent claims.

Claim Objections

3. **Claims 47-50** are objected to because of the following informalities: Claim 47 indicates: "A method as in claim 21", it appears that applicant indicated "21" where "26" was intended because claim 21 is an apparatus and claim 26 is the independent claim of the method. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language

5. **Claims 1, 2, 4, 5, 8, 10, 11, 13-16, 18-22, 26, 27, 29, 32, 34, 35, 37-40, 42-47, and 51** are rejected under 35 U.S.C. 102(e) as being anticipated by Reardon U.S. Patent No. 6,212,635 (hereinafter '635).

As to independent claim 26, "A method for the secure installation and use of an information system having a plurality of nodes, where said plurality of nodes include at least one information appliance and at least one security console, comprising steps of" is taught in '635 col. 3, lines 12-18;

"providing at least one data-carrying object containing security-related data; and inserting the data-carrying object into at least one object receptacle that comprises a portion of at least one of the nodes, the data-carrying object being inserted into the receptacle for reading-out the security-related data for indicating to the information system a desired security configuration" is shown in '635 col. 7, lines 13-20.

As to dependent claim 27, "wherein the data-carrying object stores the security-related data in a form that can be read-out by one of an electrical sensor, an optical sensor, or a magnetic sensor" is disclosed in '635 col. 7, lines 13-20.

As to dependent claim 29, "wherein an information appliance has associated therewith at least one corresponding data-carrying object for inserting into the receptacle, wherein the receptacle has an output coupled to the security console in an information system where the information appliance is intended to be used for indicating that the information appliance is one of a trusted information appliance" is disclosed in '635 col. 7 lines 20-25;

"or an untrusted information appliance" is taught in '635 col. 7, lines 34-36.

As to dependent claim 32, "wherein the data-carrying objects are provided as a pair, wherein a first receptacle has an output coupled to the security console

Art Unit: 2134

in an information system where the information appliance is intended to be used for indicating, from security-related data contained on a first one of the pair of data-carrying objects, that the information appliance is one that is authorized to fulfil and originate requests for information system resources, and wherein a second receptacle has an output coupled to the information appliance for indicating, from security-related data contained on a second one of the pair of data-carrying objects, that the security console is authorized to fulfil and originate requests for information appliance resources, including information” is shown in ‘635 col. 3, lines 63-67.

As to dependent claim 34, “wherein the data-carrying objects are provided as a pair, and wherein data-carrying objects in any given pair are the same shape, and no two data-carrying objects not in the same pair are the same shape” is taught in ‘635 col. 25, lines 34-37.

As to dependent claim 35, “wherein the data-carrying objects are provided as a pair, and wherein data-carrying objects in any given pair are imprinted with a same visible identification information, and no two data-carrying objects not in the same pair are imprinted with the same visible identification information” is shown in ‘635 col. 25, lines 34-37.

As to dependent claim 37, “wherein data-carrying objects are obtained in groups of at least three, and where access to a resource, including information, is obtained by providing one subset of data-carrying objects from a group to a receptacle associated with a requestor of the resource, and a disjoint set of data-

Art Unit: 2134

carrying objects from the same group is provided to the security console” is disclosed in ‘635 col. 15, lines 25-28.

As to dependent claim 38, “wherein identifications of all individual data-carrying objects in the group can be ascertained by viewing the Security console, even if some subset of the data-carrying objects are provided to a receptacle associated with a requestor of the resource” is taught in ‘635 col. 15, lines 16-21.

As to dependent claim 39, “wherein a utilization of different disjoint subsets of the data-carrying objects in a group indicates different levels of trust to be granted to the requestor with respect to the resource” is shown in ‘635 col. 12, lines 1-9.

As to dependent claim 40, “wherein a utilization of different disjoint subsets of the data-carrying objects in a group indicates different levels of authorization to be granted to the requestor with respect to the resource” is disclosed in ‘635 col. 12, lines 1-9.

As to dependent claim 42, “in which access to the resource is denied unless every data-carrying object of the group is inserted into a receptacle” is taught in ‘635 col. 19, lines 36-39.

As to dependent claim 43, “and further comprising a step of adding a newly-obtained information appliance to a group of authorized information appliances, on behalf of a principal, by inserting a data-carrying object representing the principal to a receptacle of the information appliance” is shown in 635 col. 14, lines 21-42.

Art Unit: 2134

As to dependent claim 44, " wherein the data-carrying object representing the principal contains data which includes at least one secret known only to the principal" is disclosed in '635 col. 10, lines 64-65.

As to dependent claim 45, "wherein the secret known only to the principal comprises the private half of a public-private key pair associated with an asymmetric cryptosystem" is taught in '635 col. 11, lines 1-9.

As to dependent claim 46, "in which a certain principal, and at least one information appliance authorized to act on behalf of the principal, is granted a certain level of access to a certain resource by inserting, to a receptacle associated with an information appliance representing the resource, a data-carrying object representing the principal" is shown in '635 col. 11, lines 10-14.

As to dependent claim 47, "wherein data contained in the data-carrying object representing the principal comprises the public half of a public-private key pair associated with an asymmetric cryptosystem" is disclosed in '635 col. 11, lines 1-9.

As to independent claim 1, this claims is directed to the apparatus of the method of claim 26 and is similarly rejected along the same rationale.

As to independent claims 51, this claims is directed to computer-readable storage medium of the method of claim 26 and is similarly rejected along the same rationale

As to dependent claim 4, “wherein said data-carrying object is temporarily made readable by said receptacle in order to initiate said security configuration” is taught in ‘635 col. 12, lines 25-28.

As to dependent claims 2, 5, 8, 10, 11, 13-16, and 18-22, these claims incorporate substantially similar subject matter as in cited in the claims 27, 29, 32, 34, 35, 37-40, and 43-47 above and are rejected along the same rationale.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 3, 6, 7, 28, 30, and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over ‘635 in further view of Reardon U.S. Patent No. 5,434,562 (hereinafter ‘562).

As to dependent claim 28, “wherein the data-carrying object either” and “or is temporarily inserted in or otherwise made readable by the receptacle either before or during the operation of the information system” is taught in ‘635 col. 12, lines 25-28 “the user could be instructed to remove the token before allowing access”;

the following is not taught in ‘635 **“remains inserted in the receptacle during the operation of the information system”** however ‘562 teaches “Typically, the disabling of the peripheral device is executed by the user operating a switch, which may

Art Unit: 2134

be of a keylocking type, which fully or partially disables the peripheral device as long as the switch is activated" in col. 3, lines 41-44.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the network security system taught in '635 to include a means to protect devices as long as a key is active. One of ordinary skill in the art would have been motivated to perform such a modification to protect a computer system from unauthorized access see '562 (col. 1, lines 45 et seq.) "By providing complete user control over a computer's access to its peripheral devices, this invention allow the user to implement greater security precautions against unauthorized programs or users".

As to dependent claim 30, "wherein an information appliance is given access to information system resources, including information, by inserting a data-carrying object associated with the security console into the receptacle" is taught in '635 col. 11, lines 33-53 "In a typical application, the User X would place the token, 16, in token reader, 14. The token reader would transfer information from the token to the security gateway ... While such peripherals cannot be protected in the same fashion as "down line" peripherals which have the security gateway interposed between themselves and the CPU, the security gateway can still provide some protection for the "up line" peripherals";

"the receptacle having an output that is coupled to the information appliance" is shown in '562 col. 3, lines 50-52 "physically disconnect thye power supply to the mass storage media device and/or the communication link to the network".

Art Unit: 2134

As to dependent claim 31, “wherein each of the information appliance and the security console have associated therewith at least one corresponding data-carrying object” is disclosed in ‘635 col. 12, lines 1-2 “Tokens can be created for each individual and also for specific applications”

“wherein a first receptacle has an output coupled to the security console in an information system where the information appliance is intended to be used for indicating, from security-related data contained on the data-carrying object associated with the information appliance, that the information appliance is one that is authorized to fulfil and originate requests for information system resources, and wherein a second receptacle has an output coupled to the information appliance for indicating, from security-related data contained on the data-carrying object associated with the security console, that the security console is authorized to fulfil and originate requests for information appliance resources, including information” is taught in ‘542 col. 3, lines 29-39 “This invention describes a means and process by which to disable the computer’s access to all or part of a computer’s memory system or associated peripherals”.

As to dependent claims 3, 6, and 7, these claims incorporate substantially similar subject matter as in cited in the claims 28, 30, and 31 above and are rejected along the same rationale.

Art Unit: 2134

8. **Claims 9, 23, 24, 25, 33, 48, 49, and 50** are rejected under 35 U.S.C. 103(a) as being unpatentable over '635 in further view of Flyntz U.S. Patent No. 6,389,542 (hereinafter '542).

As to dependent claim 33, the following is not taught in '635 **"wherein there are a plurality of the receptacles, and wherein an insertion of a data-carrying object into a first receptacle indicates different security-related information than inserting the data-carrying object into a second receptacle"** however '542 teaches "if the removable memory for the second security subsystem is correctly inserted in the memory receptacle. In response to the first activation signal, the first electronically activated switch disconnects the common contact from the first contact and connects the common contact with the second contact" in col. 3, lines 30-36.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the network security system taught in '635 to include a means to address multiple device receptacles. One of ordinary skill in the art would have been motivated to perform such a modification to utilize a multilevel security environment see '542 (col. 1, lines 14 et seq.) "This invention relates to computer security, and more particularly, to a multilevel computer security system and a method for controlling user access which allows a computer to be used in a multilevel security environment, but prevents access".

As to dependent claim 48, "in which the data-carrying object representing the principal comprises an image of the principal" is taught in '542 col. 6, lines 37-43 "The smart-card 30 has identification information about the card owner stored within its

Art Unit: 2134

internal memory ... Biometrics are essentially a stored representation of a physical characteristic of the card owner”.

As to dependent claim 49, “in which the data-carrying object representing the principal comprises a computer readable data portion and an image of the principal” is shown in in ‘542 col. 6, lines 37-43.

As to dependent claim 50, “further comprising a step of providing a holder for holding the computer- readable data portion such that both the computer- readable data portion and the image are accessible” is disclosed in in ‘542 col. 6, lines 37-43.

As to dependent claims 9, 23, 24, and 25 this claim incorporate substantially similar subject matter as in cited in the claims 33, 48, 49, and 50 above and are rejected along the same rationale.

9. **Claims 12, 17, 36, and 41** are rejected under 35 U.S.C. 103(a) as being unpatentable over ‘635 in further view of Fehrman et al. U.S. Patent No. 6,193,163 (hereinafter ‘163).

As to dependent claim 36, “wherein the data-carrying objects are provided as a pair” is taught in ‘635 col. 3, lines 63-67 “The security gateway generates a unique asynchronous key pair for each user and creates a token containing the private pair for each user and creates a token containing the private key for that particular user that is encrypted with the security gateway’s”;

the following is not taught in ‘635: “**and wherein data-carrying objects in any given pair are fashioned so as to mechanically join together, and no two data-**

Art Unit: 2134

carrying objects not in the same pair will not or are unlikely to mechanically join together” however ‘163 teaches “The first engagement member may comprise a first end portion of the semiconductor chip assembly or a first tab extending from the semiconductor chip assembly” in col. 2, lines 44-59.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the network security system taught in ‘635 to include a means to mechanically join two provided data key to protect devices. One of ordinary skill in the art would have been motivated to perform such a modification to protect data –carrying objects from tampering see ‘163 (col. 2, lines 4 et seq.) “Accordingly, there is a need for a smart card having an integrated circuit which may be removed or replaced by authorized personnel only. There is also a need for a smart card which provides an indication of tampering”.

As to dependent claim 41, “wherein data objects in a particular group mechanically join together to form an assemblage, where the assemblage is adapted to be attached to a device through a single connection” is taught in ‘163 col. 6, lines 10-15 “Accordingly, it is an object of the present invention to provide a smart card having an integrated circuit which may be removed or replaced only by authorized personnel having a special tool”.

As to dependent claims 12 and 17, these claims incorporate substantially similar subject matter as in cited in the claims 36 and 41 above and are rejected along the same rationale.

Art Unit: 2134

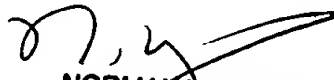
Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (703) 305-8917. The examiner can normally be reached on 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

Ellen Tran
Patent Examiner
Technology Center 2134
23 March 2004


NORMAN M. WRIGHT
PRIMARY EXAMINER